

Reply to second office action on application number 10/801,431

The following is a response to the USPTO action dated 2/05/06. The italic text is quoted directly from the action document. The text immediately after the italic text is the inventors' response to the specific point made by the examiner.

Claim Objections

1. Claims 1-8 are objected to because of the following informalities: *In re claim 1, the limitation, "with significant topography reduction compared to the traditional composite dielectric structure" is vague and indefinite because there is no traditional composite dielectric structure. Without more, such a statement is vague and indefinite and is not given patentable weight regarding the final structure of the invention. Appropriate correction is required.*

The traditional composite dielectric structure was clearly described in U.S. patent number 5,001,076 listed in the references. It would be obvious to one skilled in the art, that by eliminating the topography caused by the dominant layer in the reference, one would see a "significant" reduction in topography. Here either of the two uses for the word significant used in engineering would be accurate. First, when the word significant is used to mean on the order of related measurable quantities in the structure, the definition clearly fits as shown in figure 1. The left of the figure shows the first level topography resulting from

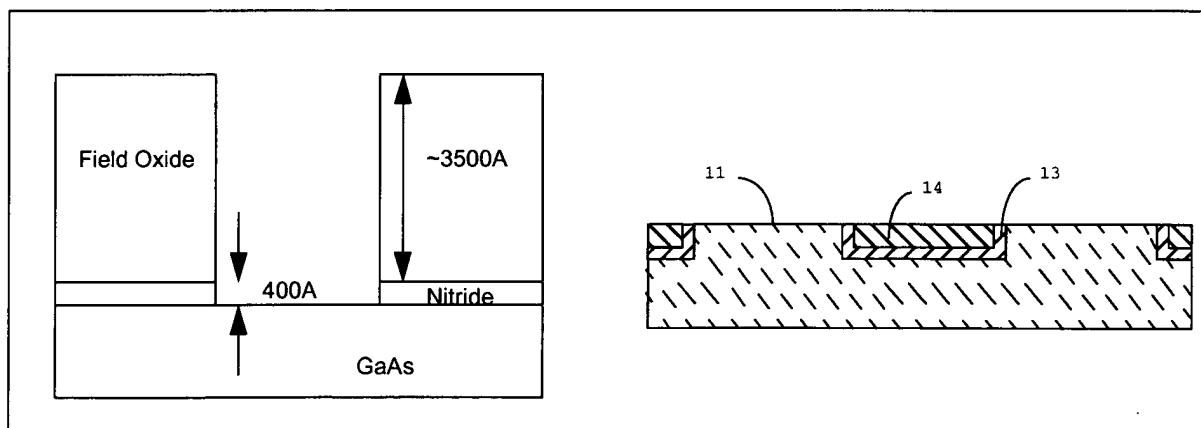


Figure 1: Topography after isolation process in prior art (left), and present invention (right)

prior art. The right side of figure 1 is a copy of the last figure in the application for the present patent. This last figure shows the topography of the device after the isolation processing is complete. It would be obvious on one skilled in the art that taking a 3900A step and reducing it to effectively zero is a "significant" reduction in topography. In engineering, "significant" can also be used as a short form of "statistically significant". When there is a measurable difference between two populations above some level of certainty, the difference between the two groups is considered "statistically significant". The term